

L Press Guidance  
June 7, 2006

### MARTY REPORT ON RENDITIONS

Comment on Marty report to the Council of Europe regarding rendition flights. Is there anything new in this report?

- While we continue to review today's report, based on an initial review, we are disappointed with the tone and content of the report. It appears that the report is filled with inaccuracies and innuendo. We are particularly disappointed that the report failed to account for much of the information we recently provided the European parliamentarians and U.N. Committee Against Torture on this issue.
- As we've said before, we're not in a position to confirm or deny specific intelligence activities.
- As Secretary Rice made clear in discussions with the European Foreign Ministers in December, we believe that renditions are a useful tool in fighting terrorism in certain rare circumstances where an individual would otherwise not be able to be brought to justice or would otherwise be able to escape and avoid capture.
- We note that the Marty Report affirms our previous statement that it would be irresponsible to speak of thousands or even hundreds of rendition flights through Europe. The overwhelming majority of intelligence flights have no connection at all to renditions.
- As the Secretary of State made clear in December, the United States complies with its laws and its treaty obligations, and respects the sovereignty of other countries, in engaging in such activities.
- The suggestion that intelligence flights are engaged in illegal activity is unfounded and undermines cooperation between the United States and Europe that is essential to foiling deadly plots.
- We never transfer persons where we believe it is more likely than not that the person would be tortured.

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Background:

Swiss Senator Dick Marty presented a report to the 46 members of the Council of Europe today in response to allegations that the CIA was running secret prisons in Europe. The report found there was no direct evidence that any such prisons existed in Europe, although it stated, a number of coherent and convergent elements indicated that secret detention centers have indeed existed and unlawful inter-state transfers have taken place in Europe. The report alleges that Romania and Poland were stops on a rendition circuit, and accused 14 European countries, including the U.K., Germany, and Italy of violating human rights in connection with CIA activities.

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